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Attorney for David Nosal

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

DAVID NOSAL,

Defendant.

No. CR-08-00237-EMC

STIPULATION AND [PROPOSED]  
ORDER WAIVING DEFENDANT'S  
APPEARANCE FOR FEBRUARY 27, 2013  
MOTION HEARING

Defendant David Nosal, by and through his attorney, Steven Gruel, hereby applies, and the United States of America, by and through its attorney, Kyle Waldinger, hereby stipulates, that based upon his accompanying waiver, this Court waive Mr. Nosal's personal presence at the motion hearing currently scheduled for February 27, 2013, at 3:00 p.m. in accordance with Federal Rule of Criminal Procedure 43.

*STIPULATION AND [PROPOSED] ORDER*

WAIVER OF DEFENDANT'S PRESENCE

Pursuant to Federal Rules of Criminal Procedure 43, defendant David Nosal hereby waives his right to be present in open court at the upcoming motion hearing, scheduled for February 27, 2013, at 3:00 p.m. Mr. Nosal requests that the Court proceed during his absence and agrees that his interests will be deemed represented at all times by the presence of his attorneys, the same as if he were personally present.

DATED:



DAVID NOSAL  
Defendant

SO STIPULATED:

DATED: 02/26/2013



STEVEN F. GRUEL,  
Attorney for David Nosal

DATED: 02/26/2013



KYLE WALDINGER  
Assistant United States Attorney

*STIPULATION AND [PROPOSED] ORDER*

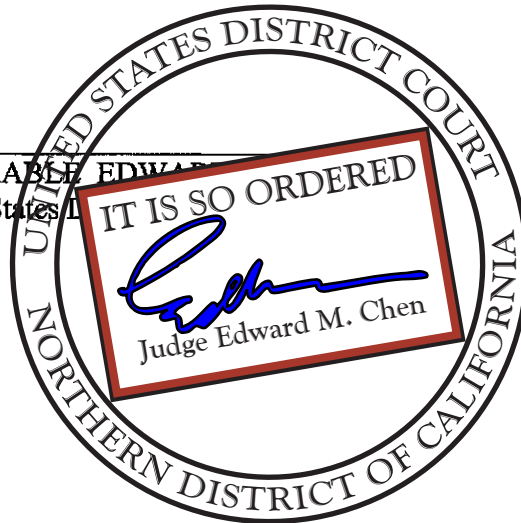
[PROPOSED] ORDER

Upon application and waiver of the defendant, David Nosal, and the stipulation set forth above, good cause appearing, IT IS HEREBY ORDERED that defendant David Nosal's personal presence on February 27, 2013, at 3:00 p.m. shall be waived in accordance with Federal Rule of Criminal Procedure 43.

IT IS SO ORDERED.

DATED: 2/27/13

HONORABLE EDWARD M. CHEN  
United States District Judge



*STIPULATION AND [PROPOSED] ORDER*